

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DREVERRON KELLEY,

Defendant.

CASE NO. 2:23-cr-00080-LK

ORDER GRANTING UNOPPOSED  
MOTION TO CONTINUE TRIAL  
DATE AND PRETRIAL MOTIONS  
DEADLINE

This matter comes before the Court on the Defendant Drevonn Kelley's Unopposed Motion to Continue Trial Date and Pretrial Motions Deadline. Dkt. No. 19. Mr. Kelley moves to continue the trial date from August 7, 2023 to November 13, 2023, and to continue the pretrial motions deadline to October 2, 2023. *Id.* at 1. The Government does not oppose Mr. Kelley's motion. *Id.*

On May 10, 2023, a federal grand jury indicted Mr. Kelley with Unlawful Possession of a Firearm and Unlawful Possession of Ammunition in violation of 18 U.S.C. § 922(g)(1); Possession of a Controlled Substance with Intent to Distribute in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B); and Possession of a Firearm in Furtherance of a Drug Trafficking Crime in violation of 18 U.S.C. § 924(c)(1)(A)(i). Dkt. No. 1 at 1–3. He pleaded not guilty to all counts and was

1 subsequently ordered detained following a hearing before United States Magistrate Judge S. Kate  
2 Vaughan. Dkt. Nos. 10, 15–16. On June 20, 2023, the Court granted Mr. Kelley’s unopposed  
3 motion for a brief extension of the pretrial motions deadline filed in anticipation of the instant  
4 motion. Dkt. Nos. 17–18; Dkt. No. 19 at 2.

5 Counsel for Mr. Kelley represents that the Government produced the first set of discovery  
6 in this case on June 13, 2023, including “a large production of recorded telephone calls that will  
7 need to be reviewed and analyzed, as well as a substantial amount of other discovery.” Dkt. No.  
8 19 at 2. Counsel also states that additional time is needed to review this discovery with Mr. Kelley  
9 at his detention center and to identify potential witnesses, research potential trial defenses and  
10 pretrial motions, and prepare for trial. *Id.* Mr. Kelley has filed a speedy trial waiver “knowingly,  
11 voluntarily, and with advice of counsel,” waiving his right to a speedy trial through December 4,  
12 2023. Dkt. No. 20 at 1.

13 Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by  
14 granting a continuance outweigh the best interest of the public and Mr. Kelley in any speedier trial.  
15 Specifically, the Court finds that failure to grant the requested continuance would likely result in  
16 a miscarriage of justice and would deny defense counsel the reasonable time necessary for effective  
17 preparation, taking into account the exercise of due diligence, due to counsel’s need for more time  
18 to obtain and review discovery, consider pretrial motions and defenses, consult with her client, and  
19 prepare for trial. *See* 18 U.S.C. § 3161(h)(7)(B)(i), (iv). The Court finds that the additional time  
20 requested is a reasonable period of delay and will be necessary to provide counsel and Mr. Kelley  
21 reasonable time to accomplish the above tasks.

22 For these reasons, the Court GRANTS Mr. Kelley’s motion, Dkt. No. 19, and ORDERS  
23 that the trial date for Mr. Kelley shall be continued from August 7, 2023 to November 13, 2023,  
24 and that the pretrial motions deadline shall be continued from June 30, 2023 to October 2, 2023.

1 It is further ORDERED that, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B), the period of delay  
2 from the date of this Order to the new trial date is EXCLUDED when computing the time within  
3 which Mr. Kelley's trial must commence under the Speedy Trial Act.

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5 Dated this 28th day of June, 2023.

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7 Lauren King  
8 United States District Judge  
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